NEW YORK HERALD.

JAMES GORDON BENNETT, PROPRIETOR AND EDITOR.

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Velume XVIII......No. 18.

AMUSEMENTS THIS EVENING.

BECADWAY THEATRE, Broadway—Agnes de Vere

MIRLO'S-BARRER OF SEVILLE.

BURTON'S THEATRE, Chambers street—MILLER'S MAID NATIONAL THEATRE, Chatham street—The Robinsons

WALLACK'S THEATRE, Broadway-Poor Corsin Wal

WRITE'S THEATRE OF VARIETIES, 17 and 19 Bowery LIGHTRIOUS STRANGER—JACKORITS—WHO SPEARS FIT DED YOU EVER SEND YOUR WIRE TO BROOKLYN.

AMERICAN MUSEUM-Afternoon and Evening-GEVE

HELLER'S SALOON, 539 Broadway-NECROMANCY GEORAMA, 586 Broadway—BANVARD'S PANORAMA OF THE

CHRISTY'S OPERA HOUSE, 472 Broadway—Etmopian

WOOD'S MINSTRELS, Wood's Musical Hall, 444 Broad-

CERCUS, 37 Bowery-EQUESTRIAN ENTERTAINMENTS

DOUBLE SHEET.

New York, Wednesday, January 19, 1853.

Malls for California. THE NEW YORK WEEKLY HERALD.

The steamship Ohio, Captain Hartstein, will leave thi port at two o'clock to-morrow afternoon for Aspinwall the Uncle Sam, Captain Mills, at three o'clock, for the name port; and the Northern Light, Captain Tinklepaugh, also at three o'clock, for San Juan del Norte.

The mails for California and other parts of the Pacific will close at one o'clock to morrow.

The New York WEEKLY HERALD, with the latest inselligence from all parts of the world, will be published at ten o'clock in the morning.

Single copies, sixpence. Agents will please send in their orders as early as possible.

Our pages are completely overwhelmed with important news, received by telegraph and otherwise, this morning, first among which is the lengthy report of the speeches in the United States Senate o Gen. Case' resolutions re-asserting the Monroe doctrine. The elaborate address of Gen. C. cannot but be read with feelings of the liveliest emotion. Its tone and sentiment will undoubtedly meet generally the approval of American readers, irrespective of party prejudices. The remarks of Judge Butler, in tion to Gen. C., are also imbued with deep inepposition to Gen. C., are the treest, for the reason that they in some measure enlighten the younger portion of the community in regard to the motives of the Monroe administration in making the original declaration against the movements of European powers to acquire territory on this continent. The discussion in the Senate, sterday marks a new era in the history of our foreign policy, and it is probable the debate in the same body to-day will be, if possible, of a still more exciting and important character. Judge Mason, the Chairman of the Committee on Foreign Affairs,

The House of Representatives appear to have had great difficulty in procuring the attendance of a orum of members. A bill was reported for the ishment of a much needed branch mint in this city; whereupon a very exciting debate arose upon the question of its second reading, during which the morning hour expired, and the subject was neces sarily dropped. After considerable miscellaneous nd sparring, the bill to suppress the issuing of notes under the denomination of five dollars in the District of Columbia, was amended and passed, and

then, it is gratifying to relate, the House adjourned. Next in importance to the speeches in the Senate is the elequent address of the Hon. Edward Everett Secretary of State, which was last evening delivered in Washington, before the Colonization Society. It is a noble defence of the cause of colonization shounds in vast research, and annihilates the oftreiterated assertion that the African race is not susceptible of cultivation. Furthermore, the Secretary establishes the fact that the American people were the first to move for the suppression of the barbarous slave traffic, against the opposition of the British government. Every friend of humanity should read this carefully-prepared document.

The cabinet is the topic now. Our letters and despatches from Albany are full of it. To-morrow we shall endeavor to find room for all the gossip of the politicians that has lately been flooded in upon us. Meantime, a careful perusal of the telegraphic reports will pay. Apropos: the statement published in several of the whig papers, that Senator Hunter has refused the State Department because the Treasury had been offered to General Dix, of New York, by General Pierce, is without foundation. It Senator Hunter has been offered the State Department at all, and declined the same, it is doubt less for reasons purely of a private nature. Mark

No business of interest was transacted in the State Senate yesterday, owing to the fact that the employes of that body had neglected to attend to their duties. In the Assembly a very interesting discussion took place on the resolutions calling for the appointment of a joint committee, whose duty it shall be to devise some plan whereby the cana may be completed. See the regular reports of the proceedings, together with the letter from our special correspondent.

The report of the committee to examine the fiscal condition of the State has been made to the Legislature, and a copy sent to us. It is an important document in its way, but we cannot find room for it this morning.

By reference to another column, it will be observed that Dr. Gardiner's party are reported to have found the mines which the Doctor was compelled to vacate in Mexico, notwithstanding the rumored assertions that the exploring commission sent out by the Senate were unable to discover them. There is fun ahead Where is the Doctor?

The bark Zebra, which recently left New Orleans with a large number of emigrants for Liberia, was last Saturday compelled to put into Savannah, in consequence of the prevalence of the cholera on board. The captain and twenty-seven passengers had died, and many of the others were sick.

The State Temperance Convention convened in Albany yesterday, and adopted resolutions declaring that the friends of the cause were not disheartened. But would continue to agitate the subject until the Legislature was compelled to pass a law prohibiting the Banor traffic. The Ladies' Temperance Convention are to have the use of the bull of the Assembly en Friday evening. Their proceedings will be in

Necessity compels us to omit our notices of the-atrical and musical matters. All the places of amusement which we visited last evening were well filled, and on glancing at the bills of fare in another column, it is pretty certain that they will all be again crowded to-night. Madame Sontag appears in the Barber of Seville." She again introduces the charm ing singing lesson, in which Master Paul Julien, the brilliant young violinist, is to assist. This alone will be worth the price of admission.

The annual election of officers of the Mercantile Library Association was held at Clinton Hall yesterday. The members voted adverse to the proposed

removal of the library up town.

We publish a report of the testimony taken at an inquest held upon the body of Mrs. Eliza Weinecke, who was supposed, yesterday morning, to have been poisoned by her husband, Doctor Henry Adolphus Weinecke. The impression was not sustained by the verdict of the jury. The unfortunate man was found dead in Tammany Hotel, from the effect of a dose of poison which he took after the death of his wife.

See narrative elsewhere.

The trial of Captain Farnham, for manslaughter in causing the death of several persons on board the steamboat Reindeer, through negligence and inattention, was commenced yesterday in the United States Circuit Court, before Judge Betts. The case for the prosecution closed, and the evidence for the defence will be opened this morning. A report of the proceedings, so far as they have gone, will be found un

der our legal intelligence.

The Coroner's jury yesterday found a verdict of premeditated murder against John Fitzgerald, in taking the life of his wife, by shooting her with a

The Almshouse Governors met last evening, and received requisitions for supplies, with communications from the officers employed in the various insti-tutions under their control. Mr. West offered a resolution, to the effect that application be made to the Common Council for accommodations more suitable to the transaction of the business of the department-It was referred to the Committee on Conference. The Board adjourned until next Tuesday evening.

Last evening, the Hon. Anson Burlingame deliver-ed a very able lecture, on the subject of "Now and Then," at the Broadway Tabernacle. He argued that the present was better than the past; that though men and their systems perish society lives on; that it advances in regular order; its fixed laws ascertainable, and that their logic requires conditions in the future beyond the reach of our most gorgeous imagination.

The avalanche of news from all quarters compels us to defer the publication of many local reports, and much general reading, among which we will enume rate the following: Reply of the Cuban Junta to a Washington correspondent, relative to the feasibility of republicanizing Cuba; Proceedings of the Alms-House Governers; Lectures, by Miss Bacon on "Ori ental Empires;" by Rev. Henry Ward Beecher, on "the Conservative and the Progressive," and by Hon Zadock Pratt, on "Tanning." For the foregoing, and many other deferred articles, we hope to make room

Our Foreign Relations-The Monroe Do trine-Cub a-Speech of Gen. Cass.

We appropriate a large portion of this day's HERALD to the speech of Gen. Cass, delivered yesterday in the United States Senate, on the general subject of our foreign relations, but especially in reference to the Monroe doctrine, and our right, title and interest in the island of Cuba. It is a long speech, but it is a strong speech, and clearly, we think, wipes out the accusation against the distinguished Senator, of being an "old fogy." He stands boldly forth among the youngest of the dashing, decisive, dread-naught school of "Young America." His speech will be read with interest by all parties in this country; and from the Senator's transatlantic and diplomatic reputation, as well as from his high position in the dominant party of the United States, it will doubtless create something of a sensation among the political circles of St. Cloud and St. James. Gen. Cass sets out with an earnest appeal for

the reaffirmation of the Monroe doctrine, which comprehends, not only the principle of resistance to all future attempts by the powers of Europe in the work of colonizing the yet unappropriated territory of this continent, but also resistance to their interference in the domestic concerns of the independent States of at least the Northern division of this hemisphere. And this second branch of the the Monroe doctrine from being far more comprehensive and explicit in its practical application to foreign aggressions in the affairs of our neighbors, is of far higher importance than the first. Its reaffirmation would call at once for the total abrogation of the Clayton and Bulwer treaty, and an absolute interdict against any further interference, on the part of England, direcly or indirectly, or singly or conjointly, in the local concerns of the independent States of Central America and Mexico. It would demand prompt inquiry as to the meaning and intent of the recent movements of certain French military adventurers in the Mexican States of Sonora and Chihuahua. It would exclude us from any alliance with any European power in behalf of the opening. by ship canals. of the isthmus passages of Central America or Mexico; for the doctrine. If once adopted, must not only exclude the powers of Europe from intermeddling on their own account, but it must necessarily debar us from taking them into any copartnership which will admit their influence, or their right to any political alliance on the soil of this continent whatsoever.

Such is our interpretation of the length and breadth of the non-intervention doctrine of Monroe; and such, we take it, is the true intent and import of the resolution, and the remarks of Gen. Cass on this subject. Is it wise. is it opportune, is it expedient, to take, at this crisis, a step so comprehensive and decisive against foreign intervention? Without the slight est disposition rashly to answer, we think the time has arrived for the declaration. We have arrived at that point where we can stand still no longer. We must advance or fall back; and the sentiment of the whole country, and the spirit of the age, alike suggest that the Monroe declaration be practically reaffirmed.

But the most interesting, as well as the most

diversified and elaborate portion of this speech of Gen. Cass, applies to the island of Cuba, our natural and political relations with that island. and to the late overtures from England and France for a tripartite pledge against appropriating it for all time to come, on the part. severally and jointly, of England, France, and the United States. The view which General Cass takes of these remarkable overtures is at once striking and sagacious. He assumes that the proposition was made, no doubt, with a full conviction that our government would decline it; but that, having declined it, we must regard it as a warning that France and England, at least, are pledged against our acquisition of the island. In this light, innumerable difficulties suggest themselves in regard to any plan which General Pierce may think fit to adopt for the peaceable purchase of Cuba. The Spanish debt to Eng-

land, the crimpled condition of Spain, and the

ambition of Louis Napoleon, rise up to confront

us upon the threshold of any such movement. Of course, nobody can suppose that the United States government will or can be a party to any other than an honorable and magnanimous policy for the desired acquisition. How, then, with England and France pledged against us is this branch of our "manifest destiny" to be fulfilled? Let our position be declared—let the late letter of the Secretary of State be boldly and firmly seconded by Congress, and let us wait the result. Prudence and sound policy on the part of England will soon suggest the true line of action to her. American cotton, the suppression of the Cuban slave trade, the increase of the English home and colonial traffic with Cuba and with us-something, perhaps. too, of Canadian reciprocity, and some thing by her ancient and hereditary jealousy of France-will infallibly make of England a neutral or an ally of Brother Jonathan when the question is brought to the pinch. There need be no apprehension entertained, then, of the formal declaration of our true position in regard to the island of Cuba. Sooner or later it must be ours; and there are abundant indications, on both sides of the Atlantic, that the time will soon arrive for action. The fruit may not yet be fully ripe, but we should at least prepare the way for quietly gathering it ere it falls to the ground from decay.

We turn over the speech of General Cass to our readers. The old Senator seems to be alive to the exigencies, necessities, and demands of the times. Let us advance. We stand foremost in the front rank of the nations. Our foreign affairs, and our rightful position on this continent, have been too long neglected. The spirit of progress, the spirit of the age, the verdict of the country in the late Presidential election. and our simple duty as a nation call for some decisive action. Let the Monroe doctrine be reaffirmed-let the world understand our position towards Cuba-let Mr. Everett and let General Cass be sustained in asserting it, and let us keep pace with the march of events.

INTERESTING FROM CUBA AND ST. DOMINGO .-We place before our readers, this morning, a great deal of interesting information connected with the political, commercial and social relations of the island of Cuba. It is but necessary to call attention to them. by referring to the various topics to which they relate, to procure for them that public attention which their importance merits.

One of the most interesting pieces of information which has been published for some time past, with reference to this island, is that which we translate to-day, giving a sketch of its political and commercial history during the year 1852. Making the necessary allowance for Spanish exaggeration, it will be seen that the agricultural and commercial condition of the island has rather retrograded than advanced during the last twelve months, notwithstanding the enormous influx of slaves which we have chronicled from week to week.

The Spanish war steamer Isabella II., had returned to the port of Havana from St. Domingo. where, it will be recollected by our readers. she had conveyed a special agent from the Cuban government, whose mission was to rupture. if possible, the bonds of amity existing between the Dominicans and our citizens, and especially to prevent the carrying into execution of the project from which the jealousy and fears of the Spanish officials saw in the perspective the invasion of Cuba. The article translated in our columns from the Diario de la Marina, will show with what success this mission was attended The decree of colonization, so far as it relates to Anglo-Americans, is to be annulled, and a Dominican vessel-of-war is to be despatched to Washington, to bear this news to official quarters. Thus the magnificent expedition of somebody is nipped in its bud. Apropos of the little Antillean republic-this same article confirms the falsity of the statement that the French naval forces had taken possession of the peninsula of Samana.

full, relates, in a great measure, to the subject of the slave trade and the expulsion of an English resident from Santiago de Cuba. It also states that General Concha has been recalled from his position as Captain General of the island. All that we give under the head of Cuba will be found of much interest and im-

THE UNITED STATES AND NICARAGUA. - In another part of to-day's paper we give a very interesting article on the relations between the United States and Nicaragua, translated from the Gaceta Official, or official paper of the latter State. It is a strong and well-deserved condemnation of the extraordinary projet agreed upon by Mr. Crampton on the part of Great Britain, and the American Secretary of State of the United States, in April last, for the ostensible purpose of effecting an "honorable adjustment" of affairs in Central America. as between Costa Rica, Nicaragua, and the supposititious "Mosquito Kingdom." This projet, it will be remembered, was a practical partition of Nicaragua between Costa Rica, and the de facto British dependency called the "Mosquito Shore." At provided, it is true, for the restitution of San Juan to Nicaragua, but gave to Costa Rica nearly one-third of her territory on the south, and to the Musquito savages another one-third on the eastern or Atlantic coast.

But this was not all. The sole stipulation in favor of Nicaragua, namely the restitution of the port of San Juan, was coupled with a number of the most offensive conditions, such as that State could not accede to without self-stultification, and the most humiliating surrender of all the positions which it had maintained before the world. One of these conditions was, that Nicaragua should accept San Juan as a "cession" from the pretended Mosquito King; and, furthermore, was "required," (for that was the term used in the projet.) not to molest the sable savage terdeld whose pretended rights Great Britain professed to represent. Nor were the conditions simply offensive but they were most offensively presented. The agent to whom this projet was confided in all his relations with Nicaragua, assumed an arrogant and threatening tone, and succeeded in nothing, except in contributing to estrange a government whose antecedents and sympathies were entirely with the United States. And if our influence in Nicaragua has been impaired, or is in any degree precarious it is entirely due to the conduct of the existing administration, and the folly of its agents.

It will be observed that our Nicaraguan contemporary dwells with much emphasis upon the Monroe principles, as the polestar of American policy. In this, it faithfully reflects the government, which has consistently adhered to that celebrated declaration.

An unusual number of aged females died in Boston last week, viz:—Jane Hall, 89; Ann Fagan, 70; Mary Trull, 80; Isabella Greenough, 78; Ellen Keepe, 80; Elizabeth Howe, 84.

RAILBOAD ACCIDENTS.—The fearful increa of late, in the number of serious and fatal railroad accidents, demands the prompt action of the several legislatures of the States in which they have occurred, to provide some means for remedying the evil. Whether such repeated accidents are the result of carelessness or the want of a uniform system of management, some method should be speedily devised for rendering railroad travelling more safe and certain. At the close of the last session of our Legislature, a committee was appointed to examine into and report upon the subject. This committee consisted of the Hon. H. E. Bartlett, of the Senate, and Mr. McAlpine, the State Engineer; and these gentlemen traversed over every road in the State. during the last summer, for the purpose of gaining statistics and information. Their report, which is a voluminous and able one, has been presented, and referred to the Railroad Committee of the Senate, with instructions to report a bill upon the subject, the special committee not having been authorized to do so. A proposition has been made to print 2.000 extra copies of the report, for distribution; and as it is said to contain highly important statistics, not only of roads in this country, but also of those in Europe, we trust that the motion will prevail-When any useful and expensive political report is made-such as that of the Canal Fraud Investigating Committee of last year-the State is taxed to the amount of thousands of dollars or the printing of extra copies. Let us see if consent can be obtained to let the people have a chance to see one in which every man. woman. and child in the country is interested.

City Intelligence. JUVENILE DEPRAVITY—DEATH OF A BOY FROM CRUEL TRATMENT BY OTHERS, AT RANDALL'S

ISLAND. Coroner Gamble held an inquest, on Monday afterno at the hospital, Randall's Island, upon the body of a young lad, named John McCaffrey, an inmate of the institution, who died there from convulsions, superinduced by a violent beating, which he received at the hands of two boys named James Cremley and Charles Collins. The de-

boys named James Cremley and Charles Collins. The deceased and his assailants were all about the same age—seven years—and the case will be understood from the depositions given below:—

Jane Ley, being duly sworn, said—I am Matron at Randall's Island; I have acted as such for twenty-one years; the deceased. John McCaffrey, was in my ward; he was always a delicate child; yesterday (Sunday) morning, Mary Baldwin came into my room and said there was a child dead in my ward; I went up stairs, and thought he might have died from croup; I do not know of any cause of his death; he went to bed as well as usual; the room is comfortable by day and night.

Caroline Kelley sworn, deposed—That she has charge of the children in Mrs. Ley's ward; on Saturday they all went to bed at seven o'clock, as well as usual; at five o'clock Sunday morning, I got up for the purpose of waking them, and found the boy dead? I heard no noise in the room during the night, nor did any one call to me to attend to any of the children; I told Mary Baldwin of the circumstance.

stance.

Mary Baldwin sworn—Gave testimony nearly similar.

Does not know any cause of death; was up several times in the night; heard no noise in the room; was up before day to make a fire; my room is under that occupied by the hove.

day to make a fire; my room is under that occupied by the boys.

John Mann, aged ten years, made the following statement—Belongs to the same ward with the deceased; has been upon the island about four years; the boys went to bed as usual on Saturday night; I got up in the night and found the boys, named James Crimley and Charles Collings, each about seven years of age, standing by the side of John McCaffrey's bed; the boy James Crimley, took a stick of wood and hit the deceased upon the face and upon the feet; after they had done that, they took him out of bed and put him upon the plazza; when he was in bed I heard him cry; after the was on the plazza I heard him cry; after they put him out there they hit him a second time; the deceased laid out there until after the bell rung at five o'clock in the morning; John Collings carried him in and put him to bed; he was then dead; I did not see him hit any more; I am the boy that told Caroline Kelly that he was dead.

John Murphy, a boy aged about seven years, and also the boys Crimley and Collings, corroborated the statement of John Mann.

Henry N. Whittlesey, physician on the island, being

John Murphy, a boy aged about seven years the boys Crimley and Collings, corroborated the statement of John Mann.

Henry N. Whittlesey, physician on the island, being duly sworn, deposed—I made an external and post mortem examination of the body of John McCaffrey; I found external bruises upon the head and one of the eyes; there was blood from the nose; lips livid; tongue protrading; the limbs strongly contracted, and the hands and feet distorted; the post mortem presented congestion of the lungs; the right side of the heart was loaded with blood; the intestines were congested, and brain healthy; in my opinion the boy died from coavulsions.

After a charge from the Coroner, the jury returned the following verdict:—The said John McCaffrey came to his death by convulsions, superinduced by cruel treatment on the part of two boys, aged about seven years, James Crimley and Charles Collings. The jury furthey say that they find no watchman employed for the protection of person or property on said island during the night time, and they deem such necessary.

The Weather remained very cold yesterday from early

and they deem such necessary.

THE WEATHER remained very cold yesterday from early morning up to a late hour of the night. The air was clear and calm. About seven o'clock in the evening the sky became overcast, and it was feared we would have a sudden change to rain. The threatening aspect passed away soon, and up to a late hour we had a very intense frost. The thermometer at the Heilald building ranged at 8 o'clock A. M. 22½ degs.; at noon, 25 degs.; at 3 P. M. 25 degs.; at 5 P. M. 25½ degs. The streets were very slippery during the day, and some falls were had, upon the side walks. The dangerous practice of snow balling

slippery during the day, and some falls were had upon the side walks. The dangerous practice of snow balling was a good deal diminished, from the fact of some arrests having been made by the police. The sleighs glided over the hardened streets at a rapid rate, and the amusement was much enjoyed by the people.

THE NEW YORK VOLUMERES.—We are happy to learn that Mr. John Hinks, who was buried on Sunday with military honors, did not die of want. He was taken the hest care of, and his wants supplied. He died of the disease contracted in the Mexican campaign—the disease that is rapidly carrying away the gallant spirits of that war.

THE MERCANTILE LIBRARY ASSOCIATION .- The annual election of officers of this association took place yesterday
The poll was opened at nine o'clock in the forenoon, an
closed precisely at six o'clock in the evening. At nin
o'clock (night) the result was announced as follows:

For President.

utton.

For Corraponding Secretary—John F. Halstead, with lileon G. Hunt & Co.

For Recording Secretary—S. U. F. Odell, with Barclay

livingston.
For Treasurer-Abram Halsey, Jr., with Bank of New

merely from the enthusiasm of his friends.

Fire in Whiliam stream.—A fire broke out about one o'clock vesterday morning, in the sub-cellar of the house 190 William street, situate in the rear of the building. The basement was occupied by Augustus Moncrief, as a restaurant, and the upper part of the building by Figure it was not a segar, wine and fruit store. The flames were extinguished after some time, the damage being principally confined to the basement. The loss is estimated at from \$400 to \$500. The captains of the Second, third, Fourth, Fifth and Sixth wards attended, with officers.

SEVERE INJURY FROM FIRE.-The children of officer Nes SEVERE INJUST FROM FIRE.—The children of officer Nes-terfield. Sixteenth ward, were amusing themselves about seven o'clock Monday evening, by playing with a lighted lamp during the absence of their parents. In a short time the dress of a younger infant caught fire, and she was so seriously burned, that the physician has slight hopes of her recovery. The other children became so alarmed that they could not assist the sufferer.

ACCIDENT UPON THE ICE.—About three o'clock on Monday fternoon, Mr. Elias Mills, an old gentleman, residing at to 34 Ridge street, slipped and fell upon the ice in Di-ision street, whereby he sustained a dislocation of one f his hips. He was taken up and removed home by his on, Mr. Mills, junior.

son, Mr. Mills, junior.

An INBUMAN PARREY.—As officer Graham, of the Sixteeth ward, was patrolling his beat, at two o'clock yesterday morning, he found two young children in Twenty-dath street, near to the Sixth avenue. They were almost perished with the cold. The officer removed them to the station house, where they were duly attended to. The unfortunate children told their tale as follows:—Their mother is dead, and they resided with their father in Sixth avenue, near Broadway, in a honse unknown to them. The father gets drunk daily, and when so heats and turns them out, as he did upon this occasion. His mane is Paniel Leidy, but the police failed to discover his place of abode. The children are in the Alms House.

Personal Intelligence.

Washington living is in Baltimore, from whence he will cocced to Washington, where he contemplates spending few weeks and will perhaps be present at the inaugu-dion of General Pierce. Commodere Stockton is detained from his seat in the The official term of President Sparks, with the Harvard University, closes this day.

DEATH OF A HUSBAND AND WHFE AFTER SCENES OF INTEMPERANCE AND QUARRELLING—HER SUD-DEN DECEASE AND HIS SUICIDE. In our first evening edition of yesterday, we noticed the sudden death, upon Monday afternoon, of Mrs. Eliza-beth Winecke, at the house No. 89 Leonard street, in this city. The lady was only about twenty years of age, and had been married for little more than two years, to Mr. Henry Adolphus Winecke, a German physician of some professional repute. It was admitted by all the witnesses professional repute. It was admitted by all the witnesses that they latterly led a most unhappy life, each drinking spirituous liquors to a great extent, and each fighting with the other when so intoxicated. It will be seen from the testimony that one of those unhappy domestic scenes took place last Saturday evening, and upon Sunday they were again reconciled, but the wife appeared ill. She continued so up to about eight o'clock in the evening, when she died, having been insensible for some hours before her decease, and lying upon the floor. Her husband attended to her, and administered remedies prescribed by himself and another medical man. Immediately after her death he left the house, and did not return during the night, and it was whispered in the neighborhood that he had poisoned her with landanum.

Coroner Gamble proceeded to the house, in order to make inquiry into the case. Doctor Winecke could not be found. The following gentlemen were sworn upon the jury:—

Peter L. Fierty, W. Warrener, L. Osborne. A. Allen, H. W. Hill,

A. Allen.

A. Allen.

W. Warrener,
H. W. Hill.

The following testimony was taken:

Fatrick Bevelin, being duly sworn, deposed—The deceased was my sister; she was married to loctor Adolphus Wincke, two years ago; she has had one child; I asked my sister to come to visit me about four weeks ago, and she said she had not sufficient clothing to come then, but would at some other time; I know nothing of the cause of her death.

Edward Bevelin, being sworn, said—I reside at No. 223 Fast Fleventh street; the deceased was my sister; about seven o'clock last Monday evening I called, with a friend, to see her: I could not get in at the front door; I found the back door open, and upon going in I found her lying upon the floor with a pillow under her head; the doctor was stooping over her; he said he had given her a glass of wine, and then went as far as Anthony street; he said she was lying upon the floor when he came back; her hands and feet were cold; her husband gave her something twice; I do not know what it was; there was a black s₁ot upon her arm; the doctor said he had struck her with the edge of a knife a few nights ago for preventing his going out; my sister Eliza died on Monday evening; her body was put into bed, and the doctor, her husband, lay down beside it, after he let me out of the house; I know nothing nothing else-regarding her death.

Iavid R. Jessup, sworn—I reside at No. 89 Leonard street; I have lived up stairs for the last six weeks; the doctor and his wife have had quarrelling continually, and also drinking; searcely a night passed that he did not break things, and lipting; I have seen dishes thrown into the entry, and the deceased run from one door to another and scream; I was present when she died; the doctor was here, and said "he wanted to go after her;" he then went out, and I have not heard of him since; he appeared to be sober; I thought nothing of the fighting, as it was so common.

Emeline Morton, sworn—I reside up stairs; I have known the deceased wan here, and say ago, she

out, and I have not heard of him since; he appeared to be sober; I thought nothing of the fighting, as it was so common.

Emeline Morton, sworn—I reside upstairs; I have known the deceased woman; about eight or fen days ago, she showed me a black and blue spot upon her arm, and said the doctor had struck her; she called me from the door at the time; they were quarrelling every day and hour; I have seen liquor come in, and say them both drunk; on Saturday evening they had quarrelling; Sunday evening they appeared to be very friendly, and the doctor said "his little wife had killed a rat to-day;" deceased appeared very pale, and on my inquiring the reason, she said she had not leit well all the day; in about fifteen minutes after I went up stairs I heard her scream and fall; I heard nothing more that night yesterday morning the doctor called at my door, and said that he had fessed his wife lying insensible upon the floor; he seked me fil had heard any person enter his room; I answered, "No;" throughout the day, the doctor asked me to come down and see his wife! I saw Dr. Meyers attend to his wife two or three times furing the day; she breathed very heavy, and died between seven and eight o'clock in the evening; he was not sensible from the time I first saw her, until she died.

Hulda Jessup, swern—I reside at No. 80 Leonard treet.

he was not sensible from the time I first saw her, until she died.

Hulda Jessup, swern—I reside at No. 89 Leonard street; I have heard most of the testimony given by Mrs. Morton, and know nothing contrary to it; about two months ago, the doctor threw a smoothing-iron at her, but it did not strike her; on Saturday night she halloed "murder." I was present at the time she died; yesterday he wanted to destroy himself, he attempted to take laudanum, and said, "Good-bye, Eliza, I will be with you to-morrow;" we took the bottle away from him; he wanted to get his hat and coat, but we prevented him; as soon as she was dead, he went out immediately, and said he would drown himself.

Doctor David Uht testified as to having made a post mortem examination of the body; found marks of external

Ecctor David Uhl testified as to having made a post mortem examination of the body; found marks of external violence upon it; the stomach and other internal organs were diseased; the brain was very much congested; there were eight or ten ounces of clotted blood at the base of the brain; the ventricles were empty; from the examination I have made, I am of the opinion that she died from congestion and effusion of the brain.

The jury rendered the following verdict:—"We find that the deceased, Eliza Weinneke, died from congestion and effusion of the brain." Deceased was a native of Ireland, and twenty years of age.

Whilst Coroner Gamble was engaged with his inquiry.

Whilst Coroner Gamble was engaged with his inquiry, Mr. Brown, of the Tammany Hotel, called at the office, in the New City Hall, to notify the other Coroners to the effeet that upon Monday night, about 11 o'clock, a gentle-man calling himself Wildener, had come to the Hall, and having ordered and paid for a bed, retired to rest. He did not appear at breakfast yesterday morning, and about 11 o'clock in the forehoon a chambermaid went to his room and found him dead in his bed. Coroner O'Donnell room and found him dead in his bed. Coroner O Foundativent over to view the body, and after a short time established the identity of the deceased and Doctor Wrinecke, the unhappy husband of the woman then dead in Leonard street. Upon searching around his bed, two papers with about a drachm of a light brown powder the best of the street ecke, the Leonard street. Upon searching around the pers with about a drachm of a light brown powder in each, were found. One was open and the other folded. The contents of each is supposed to be acctate of morphine, a deadly narcotic drug. The Coroner sent for Dr-David Uhl, who made a post mortem examination, and took away the stomach, the contents found in it, with the powders, in order to subject them to a chemical analysis. The body was then removed to the Alms House in the Fark, where an inquest will be held at 10 o'clock this morning. After the death of his wife, the unfortunate man was heard to exclaim, "Good bye, Eliza, I'll be with you to-morrow." He had three dollars eith a bunch of keys, in his pock-Eliza, I'll be with you to-morrow." He had three and about fifty cents, with a bunch of keys, in his ets, which are taken possession of by Coroner O'lk

The Recent Murder in Third Avenue.

A WIFE KILLED BY HER HUSBAND—CORONER'S IN-QUEST, AND VERDICT OF THE JURY. Coroner Hilton yesterday held the inquest npon the body of Margaret Fitzgerald, who was shot with a pistol, on last Monday, by her husband, Patrick Fitzgerald, at their residence, situated at No. 488 Third avenue, near Thirty-sixtn street. In yesterday's Histaid we gave the main facts in the case. The evidence taken before the Coroner is as follows :-

Coroner is as follows:—

Mary Hardy, being sworn—says I reside with my husband at No. 480 Third avenue: I have known Margaret Fitgerald, the deceased, for over two years; she has resided at the place she now lies dead since 1st of May last; I believe she did not live happy with her husband; the roason she assigned was his hard drinking; she was a hard working, industrious woman; on last Saturday, between ten and eleven o'clock in the evening, she came to my house; she said she was afraid to go home, as Mr. Fitzgerald had threatened to shoot her; I told her to go and see if the doors were locked and try to get in; she went away and came back in about fiteen minutes, and said the place was all locked up and she could not get in, and asked for God's sake to let her stay with me all night; she did so; the next day, (Sunday,) about nine o'clock, in time to place was all locked up and she could not get in, and asked for God's sake to let her stay with me all night; she did so; the next day, (Sunday,) about nine o'clock, in time to go to the first church, I asked her if she was going home; she said yes, she would go in God's name and see what she what she could do; she said good morning, and left; the next time I saw her was on the afternoon of the same day; it was in the house of Mrs. Dolan, who lives next door to the deceased; the entrance is in common with the two houses; I asked her if she had been home, and she said she had, and that he had come home and ordered her out; and that she went out and he fastened the doors so that she could not get in; she said she had words with her husband when she was in; the white comforter around her neck he had tried to strangle her with it; that she had slipped it over the back of her head, and in that way got it off; I asked her to take tea with me, she said she would; several had already invited her to take tea, but she was very particular who she went witd, as Mr. Fitzgerald would not say anything to her if she took tea with me; she was more particular when he was angry with her; she then went home with me, and staid at my house until Modday morning, about seven o'clock; she did not stay for breakfast, but said she would go home; she then said good morning and left; this was last time I aw her; some time before Christmas I saw Fitzgerild take her by the hair and pull her from behind the counter he assigned no reason for it.

Dr. Thomas C. Finnell, being sworn, says—I made a post mortem examination of the body of the deceased; I doed the right eye; on introducing my finger, I discovered several small pieces of bone; on removing these, my finger passed into the substance of the brain; on removing the skullcap, I found a slug in the anterior part of the left side of the bain; a piece of wadding was also found in front of the zlug; a second slug was found lodged in the bone above the right eye; I observed no other marks of in

left side of the bunin; a piece of wadding was also found in front of the zlug; a second slug was found lodged in the bone above the right eye, I observed no other marks of injury on the body.

Margaret Kashier, being sworn, says—I residegwith my husband, in the same building with the deceased; I occupy the second story back room; Mr. Fitzgerald occupied the first floor; on Monday morning I heard a noise in the back room immediately under me; I went down stairs, and listened at the back room door, and heard Mrs. Fitzgerald holloa for help, and immediately after heard the discharge of a pistol in the room; when I say she halloaed for help, I mean she cried out "help i help?" from the noise she made I thought he was choking her; I was afraid to go into the room; immediately after the discharge of the pistol I ran out into the street to the front store door; this was open, two men went in and I followed them into the back room, where I saw Mrs. Fitzgerald, the deceased, laying over two palls, with her back downwards; the Doctor up stairs came down and said she was dead, her husband stood by the door leading into the store; he wanted to go out through the store; a man I now recognize, named Joseph Roech, prevented him from going out, this occurred abou 10 o'clock in the morning of Monday hast, on last Sunday morning I saw Fitzgerald chase his wife out of his back room with an axe.

Michael Folan, avorn—Says I reside at 490 Third avenue, the adjoining house to the deceased; I keep a whole-sale liquor store on last Monday morning, about twenty minutes before 10 o'clock. I was eating my breakfast, when Mrs. Fitzgerald came in, I asked her to take some breakfast; she said no, and then began to cry; my wife gave her a cup of tea and she dramh it; I live in the back room off my store; I went into my store and was there about five minutes; in the meantime she must have goue from my room into her own apartment, the hall leads to both; my cousin, Patrick Boian. came running into the store and said that Fitzgerald had shot h

raid's store from the street; I saw Fitzerald standing in the back room, walking towards the door between the store and the room; I opened the door and went in, and asked him what he had been doing; he said nothing; I then asked him where his wife was; he pointed towards where she lay on the floor and said, "she is dead;" she was laying on her back on two pails, by the mantlepiece, with her head near the stove; I asked him if she was dead, and he said "she was undoubtedly;" I then turned-round and took Fitzgerald by the neck, and said he must come to the station house; I told him he would hang, and he answered, that "then all fwould be at an end." I then assisted by others took him to the Righteenth ward station house; I have known Fitzgerald and dressed him May last, they lived unhappily together, and from the language I have heard him use towards her, I thought he was jectous of her. I have never seen nor heard anyreason why he should feel jealous of her, she bore a good character and was a very industrious woman, he was a great drunkard. I have often heard him say he would kill her, at such times he was under the influence of liquors; I never saw him mis-use her when he was sober.

Several other witness were examined all of which only went to corroborated the testimony already given. The case was then submitted to the jury under a brief charge-from its coroner, and in about lifteen minutes the jury returned the following:

"That the deceased came to her death by slugs fred from a pistol in the hands of her husband Patrick Fitzgerald, and we also believe it to be a premidated act on his part."

The deceased was forty-seven years of age, and a native

Court of General Sessions.

Court of General Sessions.

Before Judge Beebe, and Aldermen Brisley and Peck.

ACQUITTED.

JAN. 18.—Frederick Funk, into whose possession a quantity of needles was traced, supposed to be part of a larger number stolen from Mr. Reid, of Broadway, in Novemberlast, was placed on his trial, indicted for the larceny. The proof of identity being deemed insufficient by Mr. A. Oakey Hall, the Assistant District Attorney, he abandoned the prosecution; and, under the direction of the Court, the jury returned a verdict of not guilty, and the defendant was discharged.

TRIAL FOR MANSLAUGHTER—CONVICTION IN THE FOURTH DEGREE.

Thomas Hill, a respectable young man, carrying on business, as a butcher, in Tenth avenue, between Twenty-seventh and Fwenty-eighth streets, was placed on trial, indicted for manslaughter, in killing James W. Cooper, in May last, by means of a kick.

Mr. James T. Brady and Mr. C. S. Spencer appeared for the defendant.

indicted for manslaughter, in killing James W. Cooper, in May last, by means of a kick.

Mr. James T. Brady and Mr. C. S. Spencer appeared for the defendant.

Mr. A. O. Hall, the Assistant District Attorney, in opening the case, conceded the respectability and general good standing of the accused in his neighborhood, and briefly recited the heads of the occurrence as detailed afterwards by the witnesss, and which he would refrain from doing lest he should color the facts in advance, either one way or the other. It was to be hoped the fatal kick was given without reflection by the defendant, who was an Irishman of a somewhat superior class, withine and sensitive feelings on the score of his honor and his country, and that he had been warmed by the opprobious epithets of the unfortunately deceased man, who had challenged him to fight. He believed, however, that he (the accused) was the first assainant. Counsel then went on to describe the nature of the injury sustained, of which Cooper had, eventually, beyond all doubt died, saying the chief question after the evidence was in would be the degree of homicide, though they might possibly acquit, but he would start with the one, whether Cooper was really killed by the defendant, and proceed to inquire whether tuch killing was justifiable. The pupers taken before the Coroner's jury appeared to make out a strong case, but the circumstances might be somewhat changed by the testimouy. The learned gentleman then called—

James Hill, who deposed—I live with my brother, the accused, in the Tenth avenue, and saw the occurrence; I was present when Mr. Cooper came in first and asked how I sold the beef, and I told him at fourteen, twelve, and eleven cents a pound; he looked at it, and said he could get it across town for a great deal less, and better, too; I told him we could not sell it for less, and we bourth it as cheap as any one else; he held on contending with me, and said the butchers about there were extertionate, and while he was so talking my brother (the accused) ca

he was turning into his room again, when Cooper threw down his basket, and said. "You thief—you irish son of a b——h." what he said he would do to my brother I could not hear; my brother turned back, and both went out and fought together; after a fight for a moment or so, I saw Cooper fall, and I thought my brother drew his foot and kicked him, as I thought, with he side of his foot, and struck him on the back; I could not see where exactly; my brother then turned into his room, and Cooper picked up his basket and went away; I soon after went into the room, where I saw a black and large swelling on his side, which he had got in the fight; the store was flush with the street; my brother was not in liquor at all. The witness was not cross-examined.

James Cooper, the son of the deceased, was then called, but did not answer.

Nicholas Storms was sworn, and after a brief conferference between the Court and counsel, Mr. Brady concluded to have the narrative detailed by this witness, who deposed as follows:—I live next door; I saw the difficulty last May on the sidewalk. It was about the time for shutting up in the evening, and my store was closed all but one door: I stood for a minute or two at that, and took notice; the first I saw was Mr. Hill knocking the mas down; I heard him first say "You son of a b—ch." He kicked him first twice in the body, and in the part injured; (Cooper got up himself, and went away, but seemed weak, as if he could scarcely move; he had a little boy with him, about eight or ten years old. I heard or saw nothing but what I have told. The whole did not occupy more than five or ten minutes.

Judge Beebe—He means about one minute, I suppose, if they clinched and the man was knocked down, as stated.

Mr. James T. Brady declined to cross-examine the wit

stated.

Mr. James T. Brady declined to cross-examine the wit ness, but interposed; and sain it seemed to him, in his view of the law, and which he supposed would not be disputed by the learned Assistant District Attorney, that it, would be an unnecessary waste of the public time to conwould be an unnecessary waste of the public time to continue any further the inquiry before the jury. If it were not for the kick, he would argue that the assault was jutifiable by reason of the provocation. But he thought they had not precisely the right to argue for an absintact acquittal, as the kick was neither justifiable or excessible, but he thought it was a clear case for convictior in the fourth degree only. If the District Attorney took the same view, he would suggest that they put in the amdavit of some witnesses of whom they had a cloud present, to prove that defendant was a man of temperate, industrious peaceable habits, and had never been in a difficulty of the kind before. The examinations taken before the Conoser were in Court, and he would consent to their being read. They disclosed accurately the mode and cause of death, which, no doubt, resulted from the last injury made by the prisoner. This was conceded, and he would leave the matter in the hands of the Court.

Mr. Hall, said he supposed the Court would, under any circumstances, direct in what degree the jury should find the homicide had been committed, and a plea of guity being thus entered, he was willing so to dispose of the case. The only question that could arise, would be under the clause containing the words "cruel and unusual manner," and he believed the Statute had been construed as not referring to a blow or a kick in a fight.

Judge BESES concurred that it did not come within the meaning of that section, and that it must clearly result in a case of manslaughes in the fourth degree; and that offence being admitted, the Court would instruct the jury to render a verdict accordingly. This being immediately done, his Honor directed that the defendant, who is at large under recognizances, should attend on Saturday to receive the sentence, and that the should be furnished with the affidavits on Friday, to enable the Court to consider them.

The verdict enables the Court to exercise great discretion in awarding the punishment, either by

tion in awarding the punishment, either by way of im prisonment and fine, or either, down to the latter of a nominal amount.

nominal amount.

A CLEAR CASE OF LARCENY.

Enlis Bender, a young German, indicted for stealing case of goods from the front of Otis & Perry's store, and 35 Courtlandt street, on the 31st Decem'r, was placed to the courtland of the courtland of

Henry A. Pinckley, carman in the prosecutors' employment, swore—That he saw him take the case away from the door, and carry it, on his shoulders, to the corner of Greenwich street, which simple statement caused some laughter; that he followed, and the prisoner told the old story, that he had been employed by the man who nevercomes, &c.; but witness had seen the case lowered only a few minutes before, and no one was near but the prisoner; so he guessed he'd better carry it back again, which being done, he secured it, and the prisoner, too, and handed the latter over to an officer.

done, he secured it, and the prisoner, too, and banded the latter over to an efficer.

Mr. Daniel C. Otis gave the formal and necessary proofs of identity, contents, ownership, and value thereof, thus making the case complete.

Mr. Voorhees, assigned by the Court, made an effort for the defence, but—

Judge Beebe said the story was an old dodge—that it was one of those plain cases they had occasionally Jwhere the prisoner was caught in the act of stealing; and the jury immediately pronounced him guilty.

The Judge then said it appeared the prisoner had a few days before been in custody, under the name of Valentine Mitchie, on a similar charge, and was scarcely released on bail, when he was brought back under a different name, caught in this act. They had too many "innocent boys" like him about the city, and they could not send him for the shortest term; he must go to the State Prison for three years and three months. The court then adjourned.

The Boundary Troubles in Central America. TO THE EDITOR OF THE HERALD.

New York, Jan. 17, 1853. Having read in your valuable paper of the 14th inst. an article copied from the Panama Star, under the head of "The Boundary Troubles in Central America," with reference to the territorial dispute between Costa Rica and New Granada, and observing that it is written with a de-sign to create a feeling in the American public against sign to create a feeling in the American public against the former country, by representing Costa Rica as an ambitious and designing State, anxious to encroach upon the rights of her neighbors, with the assistance of En-ropean powers, I think it a duty I owe to justice to ad-dress you these few lines, in order to correct so unfair an

dress you these few lines, in order to correct so untair an inference.

I know from reliable sources that the minister of Costa. Rica has proposed to the minister of New Granada to but mit the difficulties existing between the two countries to the sole arbitration of the government of the United States. I know, likewise, that Costa Rica has shown the same disposition with regard to the territorial differences unfortunately existing between Nicaragua and that country. These facts ought to put forever to rest any presumption unfavorable to the proceedings of the small Republic of Costa Rica, which wants to take no advantage of others, and which in reality has no titles to distinction but her honesty, moderation, and liberality. By the insertion of the present letter you will oblige, sir, your obedient servant,